Filed 02/11/13 Entered 02/11/13 20:33:10 Main Document Presentment Date and Time: (Narch 12, 2013 at 12:00 noon (Prevailing Eastern Time)
Objection Deadline: March 11, 2013 at 11:00 a.m. (Prevailing Eastern Time) 08-13555-mg Doc 34551

Hearing Date and Time (Only if Objection Filed): March 13, 2013 at 10:00 a.m. (Prevailing Eastern Time)

WEIL, GOTSHAL & MANGES LLP

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Jacqueline Marcus Robert J. Lemons

Attorneys for Lehman Brothers Holdings Inc. and Certain of Its Affiliates

#### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Chapter 11 Case No. In re

LEHMAN BROTHERS HOLDINGS INC., et al., 08-13555 (JMP)

Debtors. (Jointly Administered)

NOTICE OF PRESENTMENT OF REVISED ORDER **AUTHORIZING DEBTORS TO ASSUME CERTAIN EXECUTORY CONTRACTS** 

PLEASE TAKE NOTICE that on February 8, 2012, the above-captioned debtors and debtors in possession (collectively, the "Debtors") filed a Notice of Presentment of Order Authorizing Debtors to Assume Certain Executory Contracts [ECF No. 34508]. The Debtors have subsequently revised the proposed order to reflect the changes set forth on Exhibit 1 annexed hereto.

PLEASE TAKE FURTHER NOTICE that the undersigned will present the revised proposed order set forth as Exhibit 2 annexed hereto (the "Revised Order") to the Honorable James M. Peck, United States Bankruptcy Judge, for signature on March 12, 2013 at 12:00 noon (Prevailing Eastern Time). The Revised Order authorizes the Debtors to assume certain executory contracts.

PLEASE TAKE FURTHER NOTICE that unless a written objection to the proposed Revised Order, with proof of service, is served and filed with the Clerk of the Court and a courtesy copy is delivered to the Bankruptcy Judge's chambers and the undersigned so as to be received by March 11, 2013 at 11:00 a.m. (Prevailing Eastern Time), there will not be a hearing and the Revised Order may be signed.

PLEASE TAKE FURTHER NOTICE that if a written objection is timely served and filed, a hearing (the "Hearing") will be held to consider the Revised Order on March 13, 2013 at 10:00 a.m. (Prevailing Eastern Time) before the Honorable James M. Peck, United States Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Customs House, Courtroom 601, One Bowling Green, New York, New York 10004.

**PLEASE TAKE FURTHER NOTICE** that objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted or denied upon default.

Dated: February 11, 2013 New York, New York

/s/ Jacqueline Marcus
Jacqueline Marcus
Robert J. Lemons

WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Attorneys for Lehman Brothers Holdings Inc. and Certain of Its Affiliates

### **EXHIBIT 1**

(Blackline)

## THE FOLLOWING CONTRACTS LISTED IN THE PLAN SUPPLEMENT ON EXHIBIT 2, PART A – DERIVATIVES CONTRACTS – ARE BNY CONTRACTS:

Counterparty	Debtor	Title of Agreement	Notice Address
Beryl Finance Limited Series 2005-11	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002 and amended and restated on 22 July 2005	Eric A. Schjaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 Walkers SPV Limited
			Walker House, 87 Mary Street George Town, Grand Cayman, Cayman Islands
Beryl Finance Limited Series 2005-16	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 22 July 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 Walkers SPV Limited Walker House, 87 Mary Street
Beryl Finance Limited Series 2007-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	George Town, Grand Cayman, Cayman Islands  Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			Walkers SPV Limited Walker House, 87 Mary Street George Town, Grand Cayman, Cayman Islands
Beryl Finance Limited Series 2007-14	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 20 July 2007	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 Walkers SPV Limited
			Walker House, 87 Mary Street George Town, Grand Cayman, Cayman Islands
			Dante Finance Public Limited Company AIB International Centre International Financial Services Centre Dublin 1, Ireland
Lion City CDO 2006 2 LTD	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 22 July 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022

Counterparty	Debtor	Title of Agreement	Notice Address
			c/o Walkers SPV Limited Walker House, P.O. Box 908 GT
			George Town
			Grand Cayman
			Cayman Islands, Cayman
			<del>Islands</del>
			HSBC Bank, USA
			CTLA Structured Finance
			10 East 40th Street, Floor 14 New York, NY, 10016
			Attn: Thomas Musarra
Lion City CDO 2006 3 Ltd	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
-	Financing Inc.	dated as of 10 October 2002,	Michael J. Venditto
		as amended and restated on 22	Reed Smith LLP
		<del>July 2005</del>	599 Lexington Avenue
			New York, NY 10022
			HSBC Bank, USA
			CTLA Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra
			Lion City CDO Limited c/o-
			Walkerss SPV limited
			walker house
			PO BOX 908 GT
			<del>George Town</del>
			Grand Cayman, Cayman
Ti di de la	T.1. D.4. G. : 1	TODA M. A.	ISlands, British West Indies
Lion City CDO Limited Series	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
<del>2006 1</del>	Financing Inc.	dated as of 10 October 2002, as amended and restated on 22	Michael J. Venditto Reed Smith LLP
			599 Lexington Avenue
		<del>July 2005</del>	New York, NY 10022
			e/o Kim
			Seyang Building, 223 Nacja
			dong
			Jongo gu, Seoul 110 720
			Korea
			Attn: Y. G. Jung
			c/o Walker SPV limited
			Walker House P.O. Box 908
			GT
			George Town, Grand Cayman
			Cayman Islands, Cayman
			<del>Islands</del>
			HSBC Bank, USA
			CTLA Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra

Counterparty	Debtor	Title of Agreement	Notice Address
Lion City CDO Ltd Series 2006-5	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra International Financial Services Centre Northwall Quay
			Dublin 1, Ireland P.O. Box 908 GT George Town Grand Cayman Cayman Islands
Quartz Finance 2005-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 11 February 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
			Quartz Finance PLC c/o The Bank of New York Mellon - London Branch One Canada Square London, E14 5AL United Kingdom
Ruby Finance 2006-4	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 22 July 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 AIB International Center International Financial Services Center North Wall Quay Dublin 1, Ireland Attn: Tom Geary/ Adrian Wrafter
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom

Counterparty	Debtor	Title of Agreement	Notice Address
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016
Ruby Finance 2007-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Attn: Thomas Musarra  Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			AIB International Center International Financial Services Center North Wall Quay Dublin 1, Ireland Attn: Tom Geary/ Adrian Wrafter
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Ruby Finance 2007-3	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Saphir Finance PLC 2005-3 Class A	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 11 February 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022

Counterparty	Debtor	Title of Agreement	Notice Address
			BNY Corporate Trustee
			Services Limited - London
			Branch
			One Canada Square London
			London, E14 5AL
			United Kingdom HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra
Saphir Finance PLC 2005-3	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
Class C	Financing Inc.	dated as of 10 October 2002,	Michael J. Venditto
		as amended and restated on 11	Reed Smith LLP
		February 2005	599 Lexington Avenue
			New York, NY 10022
			BNY Corporate Trustee
			Services Limited - London
			Branch
			One Canada Square London
			London, E14 5AL
			United Kingdom
			HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016 Attn: Thomas Musarra
Saphir Finance PLC 2006-10	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
Sapini i mance i Le 2000-10	Financing Inc.	dated as of 10 October 2002,	Michael J. Venditto
	Timuneing me.	as amended and restated on 21	Reed Smith LLP
		July 2006	599 Lexington Avenue
		,	New York, NY 10022
			AIB International Center
			International Financial
			Services Center
			North Wall Quay
			Dublin 1, Ireland
			Attn: Tom Geary/ Adrian
			Wrafter
			BNY Corporate Trustee
			Services Limited - London Branch
			One Canada Square London
			London, E14 5AL
			United Kingdom
	1		HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra

Counterparty	Debtor	Title of Agreement	Notice Address
Saphir Finance PLC 2007-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Sunset Park CDO Limited SPC Series 2004-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of November 3, 2004	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			540 West Madison Street, 25th floor Chicago, Illinois 60661 Chicago, Il, 60661 Attn: Matthew Massier
			c/e Maples Finance Limited P.O. Box 1093GT Queensgate House South Church Street Grand Cayman, Cayman Islands British West Indies
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Sunset Park CDO Limited SPC Series 2004-2	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of November 3, 2004	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			540 West Madison Street, 25th floor Chicago, Illinois 60661 Chicago, Il, 60661 Attn: Matthew Massier

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Counterparty	Debtor	Title of Agreement	Notice Address
			c/e Maples Finance Limited P.O. Box 1093GT Queensgate House South Church Street Grand Cayman, Cayman Islands British West Indies
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Sunset Park CDO Limited SPC Series 2004-4	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of December 20, 2004	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			540 West Madison Street, 25th floor Chicago, Illinois 60661 Chicago, Il, 60661 Attn: Matthew Massier c/e Maples Finance Limited
			P.O. Box 1093GT Queensgate House South Church Street Grand Cayman, Cayman Islands British West Indies
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Topaz Finance Ltd 2005-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 30 January 2004	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			540 West Madison Street, 25th floor Chicago, Illinois 60661 Chicago, Il, 60661 Attn: Matthew Massier
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom

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Counterparty	Debtor	Title of Agreement	Notice Address
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra

### **EXHIBIT 2**

(Revised Order)

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Jacqueline Marcus Robert J. Lemons

Attorneys for Lehman Brothers Holdings Inc. and Certain of Its Affiliates

### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11 Case No.

:

LEHMAN BROTHERS HOLDINGS INC., et al., : 08-13555 (JMP)

:

Debtors. : (Jointly Administered)

• -----**v** 

## ORDER AUTHORIZING DEBTORS TO ASSUME CERTAIN EXECUTORY CONTRACTS

WHEREAS on October 25, 2011, the above-captioned debtors and debtors in possession (collectively, the "<u>Debtors</u>") filed a Plan Supplement [ECF No. 21254], as amended from time to time (the "<u>Plan Supplement</u>"), 1 containing documents and schedules in connection with the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors (the "<u>Plan</u>"), dated December 5, 2011 [ECF No. 22973] that was confirmed by order of the Court on December 6, 2011 [ECF No. 23023] (the "<u>Confirmation Order</u>"); 2

WHEREAS the Plan became effective on March 6, 2012;

<sup>&</sup>lt;sup>1</sup> A list of the amendments to the Plan Supplement and other notices and orders pertaining thereto is annexed hereto as Exhibit A.

<sup>&</sup>lt;sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Plan and the Confirmation Order.

WHEREAS pursuant to the Confirmation Order, the Court approved the assumption, pursuant to sections 365(a) and 1123(b)(2) of the Bankruptcy Code, of each executory contract and unexpired lease designated in the Plan Supplement, other than any executory contracts and unexpired leases set forth on Schedules 1 and 2 of the Confirmation Order, or that were the subject of the objections listed on Schedules 1 and 2 of the Confirmation Order;

WHEREAS the executory contracts listed on Exhibit B hereto (the "BNY Contracts") were included on Schedule 1 of the Confirmation Order and designated as February 14 Contracts because The Bank of New York Mellon, The Bank of New York Mellon Trust Company, N.A., and BNY Mellon Corporate Trustee Services Limited (collectively, "BNY"), among others in some instances, filed objections [ECF Nos. 22010, 22766, and 22970] (collectively, the "BNY Objection") to the Debtors' proposed assumption of such contracts;

WHEREAS the hearing on the Debtors' proposed assumption of the BNY Contracts has been adjourned to March 21, 2013;

WHEREAS on or around November 13, 2012, BNY instructed the Depository Trust Company, Euroclear, and Clearstream (as applicable) to send notices (each, a "Notice") to the registered holders (the "Noteholders") of notes, certificates, bonds or other interests issued pursuant to structures created by the Debtors that are counterparties to the BNY Contracts (such structures, the "SPV Counterparties");

WHEREAS the Notice contained a copy of a letter (the "Reservation of Rights Letter") that, among other things, offered to resolve the BNY Objection, as such objection relates to the BNY Contracts, through the execution of a reservation of rights agreement between BNY and the appropriate Debtor for each BNY Contract;

WHEREAS, as more fully set forth in the Notice, BNY requested direction from each Noteholder with regard to the Reservation of Rights Letter, and advised that, in the absence of any direction, BNY would take no further action with respect to the Reservation of Rights Letter, the proposed assumption of the BNY Contracts, or the BNY Objection as it relates to the BNY Contracts;

WHEREAS the Notice warned the Noteholders that if they took no further action with respect to the Reservation of Rights Letter, the proposed assumption of the BNY Contracts, or the BNY Objection, the BNY Objection might be overruled and the Noteholders' rights might be affected;

WHEREAS the Noteholders with interests in the SPV Counterparties did not respond to the Notice or provide direction to BNY with respect to the Reservation of Rights Letter, and, as a result, BNY is not pursuing the BNY Objection as it relates to the BNY Contracts;

WHEREAS because no other objections to the Debtors' assumption of the BNY

Contracts remain to be resolved, the Debtors seek this Court's approval to assume the BNY

Contracts in accordance with the Confirmation Order and the Plan;

#### IT IS HEREBY:

the assumption of the BNY Contracts; and it is further

ORDERED that pursuant to sections 365(a) and 1123(b)(2) of the Bankruptcy

Code, the assumption of the BNY Contracts by the Debtors is hereby approved; and it is further

ORDERED that the filing and service of the Plan and the Plan Supplement, the
service of notice of the \$0 cure amount, the publication of the Confirmation Order, the Notice,
and the service of a notice of presentment with respect to this Order provides adequate notice of

ORDERED that there are no defaults of any of the Debtors under the BNY

Contracts that must be cured pursuant to section 365(b) of the Bankruptcy Code; and it is further

ORDERED that BNY and all SPV Counterparties have been provided with

adequate assurance of future performance pursuant to section 365(f) of the Bankruptcy Code;

and it is further

ORDERED that the assumption of the BNY Contracts shall not enhance any contractual rights of BNY or any SPV Counterparty that were otherwise unenforceable under the Bankruptcy Code immediately prior to the assumption of such contracts; *provided, however,* that the rights of BNY and all SPV Counterparties to assert that a contractual right was enforceable under the Bankruptcy Code immediately prior to assumption or rejection and the Debtors' rights to dispute any such assertions are fully preserved; and it is further

ORDERED that with respect to the BNY Contracts, any defaults on the part of the Debtors that may arise because of a condition specified in section 365(b)(2) of the Bankruptcy Code ("Ipso Facto Defaults") are not subject to the requirements under section 365(b)(1) of the Bankruptcy Code and no party shall be permitted to declare a default, terminate, cease payment, delivery or any other performance under any executory contract or unexpired lease, or any agreement relating thereto, or otherwise modify any such executory contract or unexpired lease, assert any Claim or right to termination payment, or impose any penalty or otherwise take action against a Debtor as a result of an Ipso Facto Default; and it is further

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ORDERED that the	e Court shall retain jurisdiction to hear and determine all
matters arising from or related to t	his Order.
Dated:, 2013 New York, New York	
	UNITED STATES BANKRUPTCY JUDGE

#### **EXHIBIT A**

## AMENDMENTS TO THE PLAN SUPPLEMENT AND OTHER NOTICES AND ORDERS PERTAINING THERETO

- 1. Amendment No. 1 to the Plan Supplement, filed on November 4, 2011 [ECF No. 21665].
- 2. Amendment No. 2 to the Plan Supplement, filed on November 15, 2011 [ECF No. 22156].
- 3. Amendment No. 3 to the Plan Supplement, filed on November 22, 2011 [ECF No. 22590].
- 4. Amendment No. 4 to the Plan Supplement, filed on November 29, 2011ECF No. 22742].
- 5. Amendment No. 5 to the Plan Supplement, filed on December 2, 2011 [ECF No. 22876].
- 6. Amendments No. 6 and No. 7 to the Plan Supplement, filed on December 5, 2011 [ECF Nos. 22975 and 22980].
- 7. Notice of Withdrawal of Debtors' Application to Assume Certain Executory Contracts, filed on January 31, 2012 [ECF No. 24823].
- 8. Notice of (i) Withdrawal of Debtors' Application to Assume Certain Executory Contracts, (ii) Indefinite Adjournment of Debtors' Application to Assume Certain Executory Contracts, (iii) Adjournment of Hearing on Debtors' Application to Assume Certain Executory Contracts, and (iv) Status Conference on Debtors' Proposed Assumption of Executory Contracts, filed on February 9, 2012 [ECF No. 25201].
- 9. Third Notice of Withdrawal of Debtors' Application to Assume Certain Executory Contracts, filed on February 13, 2012 [ECF No. 25266].
- 10. Order Authorizing Debtors to Assume Certain Executory Contracts and Unexpired Leases, entered by the Court on March 19, 2012 [ECF No. 27016]
- 11. Fourth Notice of Withdrawal or Deferral of Debtors' Application to Assume Certain Executory Contracts, filed on April 3, 2012 [ECF No. 27262].
- 12. Notice of Adjournment of Hearing on Debtors' Application to Assume Certain Executory Contacts, filed on April 4, 2012 [ECF No. 27272].
- 13. Fifth Notice of Withdrawal or Deferral of Debtors' Application to Assume Certain Executory Contracts, filed on May 31, 2012 [ECF No. 28313].
- 14. Notice of Presentment of Order Authorizing Debtors to Assume Certain Executory Contracts and Unexpired Leases, filed on May 31, 2012 [ECF No. 28326].
- 15. Notice of Adjournment of Hearing on Debtors' Application to Assume Certain Executory Contracts, filed on June 19, 2012 [ECF No. 28871].

- 16. Sixth Notice of Withdrawal or Deferral of Debtors' Application to Assume Certain Executory Contracts, filed on June 25, 2012 [ECF No. 28956].
- 17. Corrected Sixth Notice of Withdrawal or Deferral of Debtors' Application to Assume Certain Executory Contracts, filed on June 25, 2012 [ECF No. 28957].
- 18. Seventh Notice of Withdrawal or Deferral of Debtors' Application to Assume Certain Executory Contracts, filed on August 14, 2012 [ECF No. 30026].
- 19. Notice of Adjournment of Hearing on Debtors' Application to Assume Certain Executory Contracts, filed on September 12, 2012 [ECF No. 30894].
- 20. Order Authorizing Debtors to Assume Certain Executory Contract, entered by the Court on September 28, 2012 [ECF No. 31130].
- 21. Eighth Notice of Withdrawal of Debtors' Application to Assume Certain Executory Contracts, filed on October 19, 2012 [ECF No. 31569].
- 22. Ninth Notice of Withdrawal of Debtors' Application to Assume Certain Executory Contracts, filed on November 16, 2012 [ECF No. 32144].
- 23. Order Authorizing Debtors to Assume Certain Executory Contracts, entered by the Court on November 28, 2012 [ECF No. 32382].
- 24. Tenth Notice of Withdrawal or Deferral of Debtors' Application to Assume Certain Executory Contracts, filed on December 4, 2012 [ECF No. 32574].
- 25. Notice of Adjournment of Hearing on Debtors' Application to Assume Certain Executory Contracts, filed on December 4, 2012 [ECF No. 32576].
- 26. Eleventh Notice of Withdrawal of Debtors' Application to Assume Certain Executory Contracts, filed on February 8, 2013 [ECF No. 34503].

### **EXHIBIT B**

### **BNY CONTRACTS**

## THE FOLLOWING CONTRACTS LISTED IN THE PLAN SUPPLEMENT ON EXHIBIT 2, PART A – DERIVATIVES CONTRACTS – ARE BNY CONTRACTS:

Counterparty	Debtor	Title of Agreement	Notice Address
Beryl Finance Limited Series 2005-11	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002 and amended and restated on 22 July 2005	Eric A. Schjaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 Walkers SPV Limited
			Walker House, 87 Mary Street George Town, Grand Cayman, Cayman Islands
Beryl Finance Limited Series 2005-16	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 22 July 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 Walkers SPV Limited Walker House, 87 Mary Street
Beryl Finance Limited Series 2007-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	George Town, Grand Cayman, Cayman Islands  Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022  Walkers SPV Limited
			Walker House, 87 Mary Street George Town, Grand Cayman, Cayman Islands
Beryl Finance Limited Series 2007-14	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 20 July 2007	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 Walkers SPV Limited
			Walker House, 87 Mary Street George Town, Grand Cayman, Cayman Islands
			Dante Finance Public Limited Company AIB International Centre International Financial Services Centre Dublin 1, Ireland
Lion City CDO Ltd Series 2006-5	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022

Counterparty	Debtor	Title of Agreement	Notice Address
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra International Financial Services Centre Northwall Quay Dublin 1, Ireland
			P.O. Box 908 GT George Town Grand Cayman Cayman Islands
Quartz Finance 2005-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 11 February 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022 HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14
			New York, NY, 10016 Attn: Thomas Musarra Quartz Finance PLC c/o The Bank of New York Mellon - London Branch One Canada Square London, E14 5AL
Ruby Finance 2006-4	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 22 July 2005	United Kingdom  Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022  AIB International Center International Financial Services Center North Wall Quay Dublin 1, Ireland Attn: Tom Geary/ Adrian Wrafter
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016

Counterparty	Debtor	Title of Agreement	Notice Address
Ruby Finance 2007-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
		AIB International Center International Financial Services Center North Wall Quay Dublin 1, Ireland Attn: Tom Geary/ Adrian Wrafter	
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Ruby Finance 2007-3	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Saphir Finance PLC 2005-3 Class A	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 11 February 2005	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom

Counterparty	Debtor	Title of Agreement	Notice Address
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016
Saphir Finance PLC 2005-3 Class C	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 11 February 2005	Attn: Thomas Musarra Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Saphir Finance PLC 2006-10	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022
			AIB International Center International Financial Services Center North Wall Quay Dublin 1, Ireland Attn: Tom Geary/ Adrian Wrafter
			BNY Corporate Trustee Services Limited - London Branch One Canada Square London London, E14 5AL United Kingdom
			HSBC Bank, USA CTLA - Structured Finance 10 East 40th Street, Floor 14 New York, NY, 10016 Attn: Thomas Musarra
Saphir Finance PLC 2007-1	Lehman Brothers Special Financing Inc.	ISDA Master Agreement dated as of 10 October 2002, as amended and restated on 21 July 2006	Eric A. Schaffer Michael J. Venditto Reed Smith LLP 599 Lexington Avenue New York, NY 10022

Counterparty	Debtor	Title of Agreement	Notice Address
			BNY Corporate Trustee
			Services Limited - London
			Branch
			One Canada Square London
			London, E14 5AL
			United Kingdom
			HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra
Sunset Park CDO Limited	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
SPC Series 2004-1	Financing Inc.	dated as of November 3, 2004	Michael J. Venditto
			Reed Smith LLP
			599 Lexington Avenue
			New York, NY 10022
			540 West Madison Street, 25th
			floor
			Chicago, Illinois 60661
			Chicago, II, 60661
			Attn: Matthew Massier
			c/e Maples Finance Limited P.O. Box 1093GT
			Queensgate House South
			Church Street
			Grand Cayman, Cayman
			Islands
			British West Indies
			HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra
Sunset Park CDO Limited	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
SPC Series 2004-2	Financing Inc.	dated as of November 3, 2004	Michael J. Venditto
			Reed Smith LLP
			599 Lexington Avenue
			New York, NY 10022
			540 West Madison Street, 25th
			floor
			Chicago, Illinois 60661
			Chicago, II, 60661
			Attn: Matthew Massier
			c/e Maples Finance Limited
			P.O. Box 1093GT
			Queensgate House South
			Church Street
			Grand Cayman, Cayman
			Islands
			British West Indies

Counterparty	Debtor	Title of Agreement	Notice Address
The state of the s			
			HSBC Bank, USA CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra
Sunset Park CDO Limited	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
SPC Series 2004-4	Financing Inc.	dated as of December 20,	Michael J. Venditto
		2004	Reed Smith LLP
			599 Lexington Avenue
			New York, NY 10022
			540 West Madison Street, 25th
			floor
			Chicago, Illinois 60661
			Chicago, Il, 60661
			Attn: Matthew Massier
			c/e Maples Finance Limited
			P.O. Box 1093GT
			Queensgate House South
			Church Street
			Grand Cayman, Cayman
			Islands British West Indies
		+	HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra
Topaz Finance Ltd 2005-1	Lehman Brothers Special	ISDA Master Agreement	Eric A. Schaffer
	Financing Inc.	dated as of 10 October 2002,	Michael J. Venditto
		as amended and restated on 30	Reed Smith LLP
		January 2004	599 Lexington Avenue
			New York, NY 10022
			540 West Madison Street, 25th
			floor
			Chicago, Illinois 60661
			Chicago, Il, 60661
			Attn: Matthew Massier
			BNY Corporate Trustee
			Services Limited - London
			Branch
			One Canada Square London London, E14 5AL
			United Kingdom
			HSBC Bank, USA
			CTLA - Structured Finance
			10 East 40th Street, Floor 14
			New York, NY, 10016
			Attn: Thomas Musarra